

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA  
VENTURA**

**MINUTE ORDER**

DATE: 11/14/2013

TIME: 09:30:00 AM

DEPT: 21

Judicial Officer Presiding: Tari Cody  
CLERK: Martha Lagana  
REPORTER/ERM: Lisa Lemus

CASE NO: **56-2011-00408712-CU-CO-VTA**

CASE TITLE: **North Kern Water Storage District vs City of Bakersfield**

CASE CATEGORY: Civil - Unlimited      CASE TYPE: Contract - Other

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**EVENT TYPE:** Court Trial (LC)

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**APPEARANCES**

SCOTT K. KUNEY, counsel, present for Plaintiff(s)  
DOUGLAS GOSLING, counsel, present for Plaintiff(s)  
COLIN PEARCE, counsel, present for Defendant(s)  
JOLIE-ANNE S. ANSLEY, counsel, present for Defendant(s)

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2nd Day of Trial

At 9:40 a.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

The following plaintiff's exhibits, previously marked for identification, are offered and received into evidence without objection:

87, 6, 81, 12, 13, 14, 15, 16, 17, 18, 19, 117, 156.

Plaintiff's exhibits 200 through 223 and 68, previously marked for identification are offered into evidence, over the objection of defendants.

The Court sustains defendant's objection to the receipt of Plaintiff's exhibits 200 through 223 and 68.

Plaintiff's witness, Cross examination of Richard Diamond commences by Mr. Pearce on behalf of Defendant.

Defendant's exhibits 1025, 1027, 1028 and 1029 are marked for identification.

At 10:43 a.m. Court is in recess.

At 11:01 a.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Plaintiff's witness, Richard Diamond, previously sworn, resumes the stand for further cross examination by Mr. Pearce on behalf of Defendant.

At 11:57 a.m. Court is in recess.

At 1:32 p.m. Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Plaintiff's witness Richard Diamond, previously sworn, resumes the stand for further cross examination by Mr. Pearce on behalf of Defendant.

Defendant's exhibits 1009 and 1020 are marked for identification.

At 2:17 p.m. redirect examination of Richard Diamond commences by Mr. Kuney on behalf of Plaintiff.

Witness Richard Diamond is excused

Plaintiff's exhibits 1 through 104 are marked and received into evidence without objection (Plaintiff's 12 through 19 were previously marked for identification).

Defendant's exhibits 1004 is marked and received into evidence.

Defendant's exhibits 1009, 1020, 1025, 1027, 1028 and 1029, previously marked for identification, are offered and received into evidence.

Plaintiff's witness, Dana Munn is sworn and testifies.

At 3:03 p.m., Court is in recess.

At 3:22 p.m., Court reconvenes with plaintiff(s), defendant(s) and counsel present as noted above.

Plaintiff's witness Dana Munn, previously sworn, resumes the stand for further direct examination by Mr. Kuney on behalf of Plaintiff.

The following Plaintiff's exhibits are marked for identification: 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234.

At 4:26 p.m. Court is adjourned until 11/15/2013 at 09:30 AM in Department 21.